

REMARKS

The Examiner is thanked for the thorough review and consideration of the present application. The final Office Action dated July 14, 2003 has been received and its contents carefully reviewed.

By this Response, claims 1 and 26 have been amended, and claims 4-5 have been cancelled without prejudice or disclaimer. Claims 1-3, 6-14 and 32-37 are pending in the application. Applicant notes that claims 15 and 31 were cancelled in Applicant's Preliminary Amendment filed on November 4, 2002. Reconsideration and withdrawal of the rejection are requested.

In the Office Action, claims 1-37 are objected to because of informalities related to the term "non-exposing". The Examiner has indicated that the claims have been examined by interpreting "non-exposing" to mean "non-patterned". Applicant does not agree with this interpretation.

As acknowledged by the Response to Arguments section of the July 14, 2003 Office Action, use of the term "non-exposing" in the specification is enough to enable one of ordinary skill to make or use the invention. Applicant respectfully submit further examples from the specification to provide support for the meaning of the term "non-exposing" as used within the present application. Applicant asserts that exposing material refers to material that requires ultraviolet light exposure. For example, on page 5 of the specification and Fig. 3, a photosensitive film 100 is front exposed to UV light. In Fig. 4, "a mask 101 forms a pattern on the substrate which is coated with the overcoat layer 102 and exposed to ultraviolet light as shown in Fig. 4B. The overcoat layer 102 is removed by dispersing a developing solution on the

substrate of which UV exposure is complete for forming a pattern.” Further, on page 5 of the specification, “to planarize the color filter layer using the related art coating process of the overcoat layer, various processes are required including exposing process, as described above. That is, to prevent the overcoat from being damaged during a rubbing process, an exposing process using an exposing type material and a developing process are used.” Additionally, on page 12 of the Specification, “using a non-exposing type material simplifies the overcoat layer forming process by eliminating such steps as mask mounting, exposing, developing, cleaning and drying.”

Based upon the above excerpts from the specification, it is clear that Applicant’s use of the term “non-exposing” is consistent with the specification and proper. Accordingly, the objection is overcome.

In the Office Action, claims 1-37 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,208,399, issued to Ohta et al. (“Ohta”), or alternatively, the associated PCT W98/47044. Claims 4-5, 15 and 31 are cancelled. Thus, the rejection, as applied to these cancelled claims, is rendered moot. Applicant traverses the rejection because Ohta fails to teach or suggest the combined features recited in the claims of the present application. In particular, Ohta fails to teach or suggest a method of manufacturing an in-plane switching mode liquid crystal display device and a method of manufacturing a color filter substrate of a liquid crystal display device that include, among other features, “forming an overcoat layer on the second substrate, and curing the overcoat layer, the overcoat layer including a non-exposing material”, as recited in independent claims 1 and 26 of the present application.

Ohta discloses a liquid crystal display device that includes an “overcoat film OC for preventing the leakage of the dyestuff of the color filter FIL into the liquid crystal composition layer LC and for flattening the step caused by the color filter FIL and the light blocking film BM” (col. 11, lines 14-17). In Ohta, the pattern of the light blocking film BM “is a matrix-like pattern forming apertures on the display portion of the pixel.” Further, “the light blocking film BM is made of a chromium thin film” (col. 10, lines 34-37). However, Ohta fails to teach or suggest “forming an overcoat layer on the second substrate, and curing the overcoat layer, the overcoat layer including a non-exposing material” (emphasis added) as recited in claims 1 and 26 of the present application. Because Ohta fails to teach or suggest the combined features recited in 1 and 26, independent claim 1 and its dependent claims 2-3, 6-14 and 16-25, and independent claim 26 and its dependent claims 27-30 and 32-37 are patentable over Ohta. Reconsideration and withdrawal of the rejection are requested.

If the Examiner deems that a telephone conversation would further the prosecution of this application, the Examiner is invited to call the undersigned at (202) 496-7500.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

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Reply to Office Action of July 14, 2003

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In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

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Respectfully submitted,

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